

**Minutes of Meeting**  
**Health Services Council**

**DATE: 22 April 2008**

**TIME: 2:30 PM**

**LOCATION: Health Policy Forum**  
**Department of Health, Canon Building**

**ATTENDANCE:**

**Council: Present: Victoria Almeida, Esq. (Vice Chair), John W. Flynn, Wallace Gernt, Maria R. Gil, Catherine E. Graziano, R.N, PhD, Robert Hamel, Amy Lapierre, Thomas M. Madden, Esq., Denise Panichas, Robert J. Quigley, DC, (Chair), Robert Ricci, Larry Ross, Reverend David Shire**

**Not Present: Joseph V. Centofanti, M.D., Rosemary Booth Gallogly, Robert Whiteside**

**Excused Absences: Edward F. Almon, Raymond C. Coia, Gary J. Gaube,**  
**Robert S.L. Kinder, M.D.**

**Staff: Valentina D. Adamova, Loreen Angell, Michael K. Dexter, Joseph G. Miller, Esq.**

**Public: (Attached)**

## **1. Call to Order, Approval of Minutes, Conflict of Interest Forms and Time Extension for the Minutes Availability**

**The meeting was called to order at 2:35 PM. The Chairman noted that conflict of interest forms are available to any member who may have a conflict. Minutes of the 25 March 2008 meeting were approved as submitted. The Chairman requested a motion for the extension of the availability of minutes pursuant to the Open Meetings Act. A motion was made, seconded and passed by a vote of thirteen in favor and none opposed (13-0) that the availability of the minutes for this meeting be extended beyond the time frame provided for under the Open Meetings Act. Those members voting in favor were: Almeida, Flynn, Gernt, Gil, Graziano, Hamel, Lapierre, Madden, Panichas, Quigley, Ricci, Ross, Shire.**

## **2. General Order of Business**

**The first item on the agenda was the application of Rhode Island Hospital (RIH) for a Certificate of Need to establish pediatric and adult bone marrow transplantation services.**

**The Chair relinquished his function as presiding officer to the Vice**

**Chair in order that he might participate in discussion and vote regarding the application of RIH for pediatric and adult bone marrow transplantation services in the capacity of a council member. He stated he would resume his position as Chair once the matter was disposed.**

**After discussion among the Council, a motion was made, seconded and passed by a vote of ten in favor, two opposed and one recusal (10-2-1) to support the proposal of the Chair to relinquish his control for the purposes of functioning as a council member. Those members voting in favor were: Flynn, Gil, Graziano, Hamel, Lapierre, Madden, Ricci, Ross, Shire, Quigley. Those members opposed: Gernt and Panichas. Almeida recused.**

**Ms. Almeida assumed the role of Chair. Staff summarized the report of the Committee that recommended that the application be denied.**

**Presentations were made by the applicant and the interested party. Members of the Council questioned both the applicant and the interested party.**

**Mr. Gernt made a motion to adopt the Committee Report that recommended that the application be denied. Ms. Panichas seconded the motion. Mr. Gernt withdrew the motion in order to provide for public comment.**

**Members of the public commented on the application.**

**Dr. Quigley made a motion to overturn the Committee Report and recommend that the application be approved for two pediatric bone marrow beds and two adult bone marrow beds and including the points of collaboration and based on need and affordability including the Zimmerman Report. Mr. Madden seconded the motion. Mr. Flynn moved the question. Mr. Madden seconded Mr. Flynn's motion to move the question. The motion passed by a vote of nine in favor, three opposed and one member recusing (9-3-1). Those members voting in favor of the motion were: Flynn, Gernt, Gil, Graziano, Hamel, Madden, Quigley, Ricci, Shire. Those members voting against the motion were: Lapierre, Panichas, Ross. Almeida recused. The Council then voted on Dr. Quigley's motion to overturn the Committee Report. The motion failed by a vote of five in favor and seven opposed with one member recusing (5-7-1). Those members voting in favor of the motion were: Gil, Madden, Quigley, Ross, Shire. Those members voting against the motion were: Flynn, Gernt, Graziano, Hamel, Lapierre, Panichas, Ricci. Almeida recused.**

**Mr. Gernt made a motion to adopt the Committee Report that recommended that the application be denied. Mr. Flynn seconded the motion. Mr. Flynn moved the question. Mr. Madden seconded Mr. Flynn's motion to move the question. The motion failed by a vote of four in favor, eight opposed and one member recusing (4-8-1) Those members voting in favor of the motion were: Flynn, Lapierre, Madden,**

**Ricci. Those members voting against the motion were: Gernt, Gil, Graziano, Hamel, Panichas, Quigley, Ross, Shire. Almeida recused. The Council then voted on Mr. Gernt's motion to adopt the Committee Report that recommended that the application be denied. The motion passed by a vote of seven in favor and five opposed with one member recusing (7-5-1). Those members voting in favor of the motion were: Flynn, Gernt, Graziano, Hamel, Lapierre, Panichas, Ricci. Those members voting against the motion were: Gil, Madden, Quigley, Ross, Shire. Almeida recused.**

**Dr. Quigley resumed his position as Chair.**

**There being no further comments the meeting was adjourned at 5:30 PM.**

**Respectfully Submitted,**

**Michael K. Dexter**